

# HOUSE . . . . . No. 849

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## The Commonwealth of Massachusetts

PRESENTED BY:  
**Brian P. Wallace**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:  
An Act establishing an Environmental Appeals Panel within the Division of Administrative Law Appeals.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
Brian P. Wallace	4th Suffolk
Michael J Donovan	Suffolk Superior Court Clerk, Civil Business Boston, MA 02108

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 888 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT ESTABLISHING AN ENVIRONMENTAL APPEALS PANEL WITHIN THE DIVISION OF ADMINISTRATIVE LAW APPEALS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority  
of the same, as follows:*

- 1 SECTION 1. Subsection (a)(9) of section 1 of Chapter 41 of the Acts of 2003 is hereby repealed.  
2 SECTION 2. Chapter 7 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by  
3 adding, after Section 4H, the following section:—  
4 Section 4H½. There shall be within the division of administrative law appeals, and under the direction and  
5 supervision of its chief administrative magistrate, an environmental appeals panel consisting of no fewer than five  
6 administrative magistrates appointed by said chief administrative magistrate, who shall serve as professional  
7 employees as defined by Chapter 150E and not as confidential employees. The panel members shall be initially the  
8 administrative magistrates who, as of November 1, 2006, occupied the positions that were transferred on January 20,  
9 2004 from the office of administrative appeals of the executive office of environmental affairs to the division of  
10 administrative law appeals.